

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES M. DEVONE, SR

Plaintiff,

v.

LOUIS S. DEVONE, JR,

Defendant.

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1:05CV00206

JUDGMENT

Tilley, Chief Judge

For the reasons set forth in the contemporaneously filed Memorandum Opinion, Defendant's Motion to Dismiss is GRANTED, and this case is DISMISSED.

As a result, Plaintiffs' Motion to Stay Order of the Durham County Superior Court [Doc. #7] is DENIED; Plaintiff's Motion for Intervening Attorney to Certify Appellate Capabilities [Doc. #10] is rendered MOOT; and Plaintiff's Motion to Strike Defendant's Answer/Motion to Dismiss [Doc. #14] is DENIED.

Additionally, Defendant's Motion for Sanctions Pursuant to Rule 11 [Doc. #19] is DENIED.

This the day of February 13, 2006.

/s/ N. Carlton Tilley, Jr.
United States District Judge

